

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

TYLER MILLER,

Plaintiff,

Case No. 3:23-cv-00293-SI

v.

ORDER REGARDING
SETTLEMENT CONFERENCE

HENRY HEIMULLER, et al.,

Defendant.

Michael J. McShane, District Judge

Upon request of the parties, the above captioned matter will be set for a judicially supervised settlement conference before Judge Michael J. McShane on **October 26 and October 27, 2023**. Counsel and their clients are to appear in chambers in Mark O. Hatfield United States Courthouse, 1000 SW Third Avenue, Portland, OR at **1:00 o'clock p.m.**, along with any persons who have settlement authority. Other parties who may be of assistance in settling the case are welcome to attend.

The parties are required to submit a confidential settlement statement and accompanying exhibits to Judge McShane by **(5:00 o'clock p.m. seven days prior to the conference)**. This statement should not exceed seven pages. PLEASE SEE ATTACHED INSTRUCTIONS REGARDING SETTLEMENT DOCUMENTS.

Dated: August 30, 2023

s/Michael J. McShane
Michael J. McShane
United States District Judge

PREPARATION FOR SETTLEMENT CONFERENCE

All communications made in connection with the settlement conference are confidential and will not be disclosed to anyone. Any documents requested and submitted for a settlement conference will be maintained in chambers.

In preparation for the scheduled settlement conference, the attorneys for each party should submit to me the following:

1. The nature of the conflict, including a brief summary of the key claims, counterclaims (if any), cross-claims (if any).
2. A brief analysis of key issues involved in the litigation.
3. A description of the strongest and weakest points in your case, both legal and factual.
4. A description of the strongest and weakest points in your opponent's case, both legal and factual.
5. Status of any settlement negotiations, including the last settlement proposal made by you and to you.
6. Settlement proposal that you believe would be fair.
7. Settlement proposal that you would be willing to make in order to conclude the matter and stop the expense of litigation.
8. The name of the client representative with full settlement authority.
9. Any specific case law, statutory or regulatory provision, or evidentiary material that you would like Judge McShane to review as he prepares for this settlement conference; and

In addition, please bring to the settlement conference (or email to Judge McShane in advance of the conference) an electronic copy of a draft settlement agreement that leave appropriate space or spaces for those settlement points or terms that remain to be negotiated and agreed upon - or at least bring (or email in advance) proposed settlement language on points of particular complexity or nuance.

These documents should be submitted to chambers by 5:00 p.m. on August 19, 2023.

The settlement submission must be e-mailed to: michael_mcshane@ord.uscourts.gov

Thank you for your cooperation in this matter.

Hon. Michael J. McShane
U.S. District Judge
405 East Eighth Avenue
Room 5700
Eugene, OR 97401
Fax No. (541)431-4159